

## Appointment

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**From:** Thurmon, Clarke [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4EE51ECF20B146D18FB2874C6B0D1B31-THURMON, CLARK]  
**Sent:** 9/25/2019 10:29:38 PM  
**To:** Thurmon, Clarke [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=4ee51ecf20b146d18fb2874c6b0d1b31-Thurmon, Clark]  
**Subject:** Reply to Ellen Grover  
**Location:** desk  
**Start:** 9/26/2019 9:00:00 PM  
**End:** 9/26/2019 11:00:00 PM  
**Show Time As:** Busy

Hi Clarke:

Adam and I discussed the status of extension letters for the EPA orders (Administrative Compliance Order on Consent and the Emergency Order) with respect to the Warm Springs water system. Adam is meeting with CTWS staff and leadership today to confirm the status of actual compliance items in the AOC and develop, hopefully, a consensus on the applicable extension date for the AOC Order. I hope I can run a draft of the letter by you before it goes final but it would rely on Section 5.8 of the AOC for this request.

We also discussed that the Emergency Order had a later start date. It is my understanding that this start date for compliance of the Emergency Order is July 15, 2019. Accordingly, I believe the 120 day assessment would be due on or near November 11 (I haven't double checked or docketed this yet). **Can you please confirm in writing EPA's understanding of the start date and current compliance date for that?** Adam did confirm on the phone generally (but not specific dates). Because we will not be out of compliance until that November date and because we need more information to establish a reliable extension date, I would propose that we develop a second letter of extension for the Emergency Order. Please let me know if you see a problem with that approach.

Last, there is one item that appears in both the Emergency Order and the AOC. It's the river intake scour system item (Section 3.29 of Emergency Order and Section 4.1(q)) of the AOC. I would propose that we include a footnote in our AOC extension letter requesting that the extended AOC date control compliance for purposes of both orders. Please let me know if we should handle that differently.

Thanks and I hope all is going well for you. Ellen

**Ellen Grover**  
*Partner*